THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17432 of 2005

Between:

Y.Sudharakar Reddy

.. Petitioner

and

The District Collector and others

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17432 of 2005

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ORDER:

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This writ petition is filed to declare the inaction on the part of respondents 1 to 3 in taking action against respondents 4 to 8 for raising aquaculture/fisiculture without prior permission of the first respondent, as illegal and arbitrary.

It is the case of the petitioner that he owns an extent of Ac.5.00 of wet land in Sy.Nos.594 and 553 in patta Nos.116, 329 and 247 of Dampur village, Vidavalur Mandal, Nellore District and he has been cultivating the said land. It is stated that

respondents 4 to 8 also possess lands adjacent to his land. Respondents 4 to 8, without obtaining prior permission from the first respondent, are raising aquaculture and releasing polluted water through his land. He further stated that they are raising aquaculture/fisiculture within the radius of the village and due to extensive use of ground water, all the drinking water bore wells dried in the village. Recently, the Gram Panchayat laid a bore-well, but the water therein also got polluted due to aquaculture. In this regard, the petitioner made representations on 25.07.2005 and 14.12.2004 to respondents 1 to 3, but no action has been taken so far. Hence, this writ petition.

Heard, the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The grievance of the petitioner is that though he made representations dated 25.07.2005 and 14.12.2004 to respondents 1 to 3 against respondents 4 to 8, no action has been taken so far.

In that view of the matter, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition with a direction to respondents 1 to 3 to consider the representations dated 25.07.2005 and 14.12.2004 and pass appropriate orders in accordance with law, after giving an opportunity of being heard to the petitioner and the affected parties, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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08.08.2005

kdl